

tional convention for such candidate for President as it may see fit, or may send an uninstructed delegation to the national convention of such party.

The Board of Supervisors of Elections in each county of the State and of Baltimore City shall cause to be printed upon the Presidential primary election ballots in each of said counties and in each legislative district of Baltimore City, and beneath the name or group of names of any qualified candidate or candidates for the nomination of President of any of such parties and distinctly separated by appropriate lines from the name or names of such qualified candidates and in plainly legible type the words "For an Uninstructed Delegation" and to the right thereof a square for the cross-mark of the voter in the same manner and relative location as the square for the cross-mark is printed to the right of the name of any candidate upon the primary election ballots as in this sub-title provided, so that such voters of the party who wish to vote for an uninstructed delegation to the national convention of their party may do so; and if it shall appear upon the count and canvass of the votes cast in said primary election that a greater number of votes have been cast in such primary election in any county of the State or legislative district of Baltimore City in favor of an uninstructed delegation than for any candidate in said primary for the nomination for President, the Supervisors of Election and Board of Canvassers for such county or legislative district shall so certify and the delegation from each county or legislative district in the State convention of the party shall vote in such State convention for an uninstructed delegation to the national convention as long as in their conscientious judgment it shall appear to them that there is any possibility of a majority of the members of such State convention voting for an uninstructed delegation; and if it shall so appear to any such delegation that there is no such possibility, they shall vote in their discretion for instructions upon the part of the State convention for such person for the candidate of their party for President as they may deem wisest.

Any vacancy which may exist in the delegation of any of such parties to any such national convention shall be filled in the manner prescribed by Section 241 with respect to the filling of vacancies.

Act of 1908, ch. 737, was repealed by act of 1910, ch. 741 (p. 113). Where a repealing law contains a substantial re-enactment of the previous law, the operation of latter continues uninterrupted. *Cochran v. State*, 119 Md. 544.

There are no provisions or expressions in secs. 227 to 257 which in terms give a defeated candidate right to contest nomination of the one returned nominated. *Foxwell v. Beck*, 117 Md. 3 (decided prior to the acts of 1912).

This section referred to in construing sec. 241—see notes thereto. *Usilton v. Bramble*, 117 Md. 13 (decided prior to the acts of 1912).

As to primary elections for United States Senator, see secs. 258 and 259.

Cited in construing Sec. 42. *Iverson v. Jones*, 171 Md. 649.

An. Code, 1924, sec. 191. 1912, sec. 179. 1910, ch. 741, sec. 160B (p. 116). 1912, ch. 2. 1912, ch. 134.

230. Said primary elections by the political parties aforesaid shall be annually held throughout this State, including Baltimore City, on a day to be fixed by an agreement between the governing bodies of said parties for the State not earlier than the eighth day of September not later than the fifteenth day of September of and in each and every year, except in those years in which there shall be an election of a President and Vice-President of the United States, in which said presidential years the said primaries, including primaries for nominating candidates for Congress, delegates from the several counties and legislative districts of Baltimore City to the State